

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, March 6, 2007

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN
DEAN AUSILIO, VICE CHAIRMAN
MICHAEL D. KOEHS, SECRETARY
CHARLES OLIVER, MEMBER
JOA PENZIEN, MEMBER
ARNOLD THOEL, MEMBER

ABSENT: DEBORAH ZOLNOSKI, MEMBER

ALSO PRESENT: Lawrence Dloski, Legal Counsel
Jerome Schmeiser, Planning Consultant
(Additional attendance on file at the Clerk's Office)

Chairman GALLAGHER called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

1. Clerk KOEHS called the roll and the Commission was present except for Member ZOLNOSKI.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and any additions, corrections or deletions were discussed and made.

MOTION by PENZIEN seconded by AUSILIO to approve the agenda as presented.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES


3. The minutes of the previous meeting held on February 20, 2007 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by AUSILIO seconded by PENZIEN to approve the minutes of the meeting of February 20, 2007 as presented.

MOTION carried.

AGENDA ITEMS

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4.  **Rezoning Request AG (Agricultural) to R-1 Residential Urban One Family;** Located on the north side of 23 Mile Road, ½ mile west of Card Road; Landtec Investments, LLC, Petitioner. Permanent Parcel No. 08-15-300-022.


Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated that this agrees with the Master Plan and with the development of the surrounding property. He further stated his recommendation of approval.

Mr. Thomas Kalas, representing the petitioner, was also present to answer any questions which the commission might have.

MOTION by AUSILIO seconded by PENZIEN to recommend to the Board of Trustees the approval of the Rezoning Request AG (Agricultural) to R-1 Residential Urban One Family; Located on the north side of 23 Mile Road, ½ mile west of Card Road; Landtec Investments, LLC, Petitioner. Permanent Parcel No. 08-15-300-022 for the following reasons:

1. The proposed rezoning is consistent with the goals of the Master Plan.
2. The proposed rezoning is consistent with the development of the surrounding properties.

MOTION carried.

5.  **Revised Site Plan; Partridge Temporary Substation;** Located on the northwest corner of Hall Road and Garfield Road; Detroit Edison, Petitioner. Permanent Parcel No. 08-32-300-018.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated the proposed site plan is in compliance with our ordinances. He further stated his recommendation of approval.

Mr. Rob Chris, representing the petitioner, was also present to answer any questions which the commission might have.

MOTION by AUSILIO seconded by PENZIEN to approve the Revised Site Plan; Partridge Temporary Substation; Located on the northwest corner of Hall Road and Garfield Road; Detroit Edison, Petitioner. Permanent Parcel No. 08-32-300-018 with the following conditions:

1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with

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this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.

3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.
6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.
9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.

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10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
11. That all signs be designated on the site plan and meet the Township requirements.
12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
18. That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
20. That all requirements of the Zoning Ordinance be met.

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21. Since the matter being considered is a revised site plan, then all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision and whether or not they are noted on the plan herein presented, are to remain in full force and effect.
22. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
23. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no lights or glare from lights will shine into the abutting residential areas.
24. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

25. That the plan be revised to indicate that the driveway will be setback 25' from Garfield and to show sign location in accordance with the ordinance.

MOTION carried.

6. **Revocation of Approval;** Site Plan; Agree/Macomb Township Condominiums; Located on the southwest corner of 21 Mile Road and Card Road; Agree Limited Partnership, Petitioner. Permanent Parcel No. 08-34-200-018.

Clerk KOEHS reviewed this item and indicated that revised plans were just received and are currently being reviewed. There was no one present to represent the petitioner.

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MOTION by KOEHS seconded by AUSILIO to table this matter to the Planning Commission meeting of March 20, 2007, to allow for the review of the recent plans to be completed.

MOTION carried.

7. Motion to receive and file all correspondence in connection with this agenda.

MOTION by PENZIEN seconded by KOEHS to receive and file all correspondence in connection with this agenda.

MOTION carried.

PLANNING CONSULTANTS COMMENTS - NONE

PLANNING COMMISSIONERS COMMENTS - NONE

ADJOURNMENT

MOTION by PENZIEN seconded by OLIVER to adjourn the meeting at 7:25 p.m.

MOTION carried.

Respectfully submitted,

Edward Gallagher, Chairman

Michael D. Koehs, CMC
Macomb Township Clerk
Planning Commission Secretary